

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 4, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-13362 - APPLICANT: EMPIRE MEDIA - OWNER: HIGHLAND PARTNERSHIP LP

THIS ITEM WAS HELD IN ABEYANCE FROM THE SEPTEMBER 6, 2006 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.

**** CONDITIONS ****

The Planning Commission (7-0 vote) recommends DENIAL. Staff recommends APPROVAL, subject to:

Planning and Development

1. The billboard shall be placed so that it is perpendicular to I-15.
2. The billboard face shall consist of static vinyl panels, or a similar material as approved by the Planning and Development Department
3. Animated and electronic message unit signage is prohibited.
4. The billboard shall not be internally or externally illuminated.
5. The billboard is limited to the exact height as specified in the public hearing notice. If the height of the adjacent freeway increases, the billboard is not entitled to any height increases allowed by Title 19 or Nevada Revised Statutes.
6. Prior to the issuance of any building permits, the applicant shall submit a site plan which includes a stamped certification, signed by a professional engineer, which includes the exact distances to the nearest residential property and to all other billboards and which states that the billboard complies with all separation requirements.
7. Conformance to all Minimum Requirements under LVMC Title 19.04.050 for a off-premise advertising (billboard) use.
8. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
9. This Special Use Permit shall be reviewed in two years at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.

10. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
11. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
12. Only one advertising sign is permitted per sign face.
13. If the existing off-premise sign is voluntarily demolished, this Special Use Permit shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.
14. Bird deterrent devices shall be installed on the sign.

Public Works

15. The proposed (billboard) sign shall not be located within the public right-of-way or interfere with Site Visibility Restriction Zones. The sign base shall not be located within existing or proposed public sewer or drainage easements.

**** STAFF REPORT ****

APPLICATION REQUEST

This is an appeal filed by the applicant from the denial by the Planning Commission of a request for a Special Use Permit for a 75 foot tall, 20 foot x 24 foot off-premise advertising sign (billboard) at 1112 South Martin L. King Boulevard

This billboard is one of four to be considered on this agenda. Staff has prepared a map of the proposed billboard locations, on which the subject sign is identified as billboard "D"

EXECUTIVE SUMMARY

The proposed billboard meets the separation requirements and is compatible with the commercial land use designation of the immediate vicinity.

This billboard is one of four to be considered on this agenda. Staff has prepared a map of the proposed billboard locations, on which the subject sign is identified as billboard "D"

BACKGROUND INFORMATION

A) Related Actions

08/10/06 The Planning Commission voted 7-0 to recommend DENIAL (PC Agenda Item #18/ar).

B) Pre-Application Meeting

04/27/06 Staff explained the requirements for a Special Use Permit

C) Neighborhood Meetings

A neighborhood meeting is not required as part of this application request, nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 0.39 acres

B) Existing Land Use

Subject Property: Medical Offices
 North: Restaurant
 South: Offices
 East: I-15 Right-of-way
 West: Offices

C) Planned Land Use

Subject Property: SC (Service Commercial)
 North: SC (Service Commercial)
 South: SC (Service Commercial)
 East: I-15 Right-of-way
 West: SC (Service Commercial)

D) Existing Zoning

Subject Property: C-1 (Limited Commercial)
 North: C-1 (Limited Commercial)
 South: C-1 (Limited Commercial)
 East: I-15 Right-of-way
 West: C-1 (Limited Commercial)

E) General Plan Compliance

- a. Centennial Hills General Plan
- b. Southwest General Plan
- c. Southeast General Plan

The southeast Sector Map of the General Plan designates this site for SC (Service Commercial) land uses

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan	X	
Charleston/Rancho Study Area	X	
Special Overlay District		X
Fremont Street Experience		
Historic Preservation Site		
Technology Center		
Las Vegas Enterprise Park		
Las Vegas Spectrum		
Lewis Street Corridor		
Signage District		
Gaming District		
Entertainment District		
John S. Park Historic Neighborhood		
Airport Overlay District		
Trails		X

The Charleston/Rancho study also designates this site for Service Commercial uses.

ANALYSIS

A) *Zoning Code Compliance*

A1) Minimum Distance Separation Requirements

The Off-Premise Advertising (Billboard) Sign is subject to a minimum 300-foot separation from other off-premise advertising signs not oriented toward I-15. There are no existing billboards within the separation distance, and the applicant has indicated that this billboard will be at least 300 feet from the billboards that are proposed under Special Use Permits SUP-13490, SUP-13494, and SUP-13495.

The billboard is also subject to a minimum 750-foot separation from other off-premise advertising signs that are oriented toward I-15 and located on the same side of the Interstate. There are no existing billboards within the separation distance,

In addition, the sign cannot be located less than 300 feet from the nearest property line of a lot in the “R” Zoning District. The nearest “R” zoned property is located approximately 530 feet to the south of the proposed location.

A2) Off-Premise Sign Requirements

Pursuant to Title 19.04, the following Standards apply to the subject proposal:

Standards	Code Requirement	Proposed	Compliance
Location	No off-premise sign may be located within the public right-of-way	Located west of the Martin L. King Boulevard right-of-way	Y
Zoning	Off-premise signs are permitted in the C-1, C-2, C-M and M Zoning Districts only	Located within a C-1 (Limited Commercial) zoning district	Y
Area	No off-premise sign shall have a surface area greater than 672 square feet, except that an embellishment of not to exceed five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	The north faces are each 480 square feet.	Y
Height	Signs within 150 feet of an elevated highway may be elevated 30 feet above the highway	Maximum height of 30 feet above highway	Y

Setback	Off-premise signs shall not be located closer than 50 feet to the intersection of the present or future rights-of-way of any two public roads, streets or highways.	The subject sign is set back approximately 120 feet from the right-of-way line of the intersection of Charleston Boulevard and Martin L. King Boulevard	Y
Screening	All structural elements of an off-premise sign to which the display panels are attached shall be screened from view.	Screened from view by sign panels	Y
Other	All off-premise signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Permanently secured to ground; located on strictly commercial property	Y

The proposed Off-Premise Advertising (Billboard) Sign meets the provisions of the Title 19 sign code.

B) General Analysis and Discussion

- Zoning

The subject site is zoned C-1 (Limited Commercial). An Off-Premise Advertising (Billboard) Sign is a permitted use in this district with the approval of a Special Use Permit. It is not located within the Off-Premise Sign Exclusionary Zone.

FINDINGS

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

1. **“The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.”**

This proposed use would be located in the SC (Service Commercial) General Plan designation and in the C-1 (Limited Commercial) zoning district. This area is characteristic of commercial development, and is compatible with this proposed billboard.

2. **“The subject site is physically suitable for the type and intensity of land use proposed.”**

There are no physical constraints to the location of the use on the subject site.

3. **“Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.”**

There are no requirements for access to a property containing an Off-Premise Advertising (Billboard) Sign.

4. **“Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.”**

If approved, the off-premise sign will be subject to regular inspection and will not compromise the public health, safety or welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 9

SENATE DISTRICT 3

NOTICES MAILED 89 by City Clerk

APPROVALS 0

PROTESTS 1